



February 26, 2024

Ms. Angie Kang  
Deputy Chief Counsel  
Hulu  
2500 Broadway  
Santa Monica, CA 90404  
[angie.park@disney.com](mailto:angie.park@disney.com)

Re: Hulu Rejection of Hulen Street Church's Advertisement

Ms. Kang:

First Liberty Institute is the nation's largest law firm dedicated exclusively to defending and restoring religious liberty for all Americans. First Liberty represents Hulen Street Church (the "Church") regarding this matter. We write to raise concerns about Hulu's policy against "religious indoctrination" in its ad placement program and the inconsistent application of that policy against the Church. Please direct all communication concerning this matter to my attention.

***Hulu Rejects Church's Advertisement for "Religious Indoctrination."***

Hulen Street Church serves its local community in Fort Worth, Texas. The Church recognizes that while many people still work traditional Monday through Friday schedules, for a significant and growing number of people in their local area, Sunday is just another workday, like people who work as first responders, in the hospitality industry, or in the medical field. To accommodate these schedules, the Church recently began hosting a new Thursday night service on February 1, 2024.

To advertise its new service time, the Church created a 22-second video ad.<sup>1</sup> In the ad, Pastor Wes Hamilton extends a short invitation: "Does your work schedule or busy family calendar not allow you to attend church on a Sunday morning? If so, I want to invite you to Thursday nights at Hulen Street Church beginning on February 1st. We created Thursday nights at Hulen Street because we know that even though Sunday may not be an option for you, that doesn't mean your faith isn't important to you." The ad concludes with this text: "For more information, [hulenstreet.com](http://hulenstreet.com)."

When Pastor Hamilton learned that Hulu offers local advertising, he became immediately interested. He followed Hulu's instructions to register as a Hulu-approved advertiser and then submitted the ad. Hulu rejected the ad, even though

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<sup>1</sup> See Hulen Street Church, *Thursday Night PreLaunch*, YouTube (Dec. 28, 2023), <https://www.youtube.com/watch?v=ShLjo9dIeAU>.

the ad did not appear to violate any of Hulu's publicly available advertising policies or technical specifications. Pastor Hamilton re-submitted the ad and, again, Hulu rejected the ad.

Following the second rejection, Pastor Hamilton requested an explanation. Hulu's customer service said that the ad violated policies against "Religious Indoctrination due to asking viewer[s] to attend Thursday services." See Exhibit 1.

### ***Hulu Should Have Transparent Ad Policies and Treat the Church Fairly.***

This response is troubling for multiple reasons. Big Tech companies are often the subject of confusion and scorn for censoring viewpoints in ways that appear to single out religious speech for approbation. Hulu should change course immediately and allow Hulen Street's advertisement to run.

Today, the U.S. Supreme Court is hearing arguments involving state laws in Texas and Florida that would increase transparency and accountability for Big Tech companies. See *NetChoice, LLC v. Paxton*, No. 22-555 (considering Texas' H.B. 20); *Moody v. NetChoice, LLC*, No. 22-277 (considering Florida's S.B. 7072). The laws would require such companies to publish their user standards and then apply them fairly. There's no reason why such rules should apply to ad policies and platforms on Google, Instagram, and Facebook, but not Hulu's analogous local ad program.

Of course, no laws should be needed for Hulu to simply treat advertisements, like the one in question, evenhandedly. Nonetheless, the Supreme Court is hearing those cases precisely because Big Tech companies seem to have wielded their unlimited, unilateral authority to deplatform or censor disfavored users, content, and viewpoints. The companies claim to be "content-neutral" and "open platforms" following clear policies, but too often they fail to make their policies transparent and then invoke them in arbitrary, inconsistent ways. That is precisely what Hulu appears to be doing here. Hulu would do well to address these problems before it may be forced to do so under Texas law.

*First*, Hulu should operate transparently. Although Hulu posts advertising policies online, its policies *do not* mention the words "Religious Indoctrination," nor do they prohibit it. Despite being accepted as an approved advertiser on the platform, Hulen Street Church first learned Hulu even had such a policy when Hulu invoked it to reject the Church's Thursday night service ad. It is reasonable to assume, given Hulu's opacity, that Hulu may have made the "rule" up to address the Church's ad. Or, perhaps, it simply failed to properly train and/or supervise an employee charged with reviewing such advertisements. Regardless, Hulu should not be able to exclude religious ads without giving prospective advertisers adequate information up front about what policies exist and may apply.

*Second*, Hulu should follow its own policy. It strains credulity to claim that an advertisement by a church *inviting* viewers to consider attending a church service could possibly constitute, “Religious Indoctrination.” The policy should never have been invoked to exclude the Church. To “indoctrinate” means to “imbue with a doctrine, idea, or opinion,” *see* Oxford English Dictionary Online; to “imbue with a usually partisan or sectarian opinion, point of view, or principle,” or to “instruct especially in fundamentals or rudiments,” *see* Merriam-Webster Dictionary. The Church’s ad does no such thing. It does not seek to force a view on religious doctrine, or even what to believe. It merely invites viewers to attend church, where all are welcome. No known Hulu policy precludes such an advertisement.

*Third*, Hulu should apply its policy fairly. It beggars belief that Hulen Street Church’s ad violates this policy when Hulu has recently allowed ads<sup>2</sup> that openly seek to teach viewers about faith, like a recent TikTok ad featuring a nun, Sister Monica Clare, who invites viewers to ask questions about spirituality. The ad promotes her channel, where she seeks to “teach you how to pray, how to meditate, how to connect with a higher power, whether you call it God or whatever because we need that now.” The ad shows Sister Clare praying in church, making the sign of the Cross, wearing a cross necklace, and reading her Bible. The video features comments like “Thank you for helping me understand God’s love!” That Hulu allows Sister Clare’s ad while prohibiting Hulen Street Church’s ad shows that, even if Hulu really does have an ad against religious indoctrination, it does not apply it consistently. At the end of the day, Hulu should allow both ads and should not pick and choose which speakers deserve a spot on its platform because of the content of their ads.

Hulu certainly cannot believe that advertising for a church runs a greater risk of “indoctrination” than ads promoting alcohol, casinos, and dating apps.<sup>3</sup> Indeed, some Hulu viewers who are working to overcome their addictions are troubled by Hulu’s heavy-handed, ubiquitous placement of ads for alcohol and casinos, have complained to Hulu about the issue, and, in some cases, have even be refunded for their trouble.<sup>4</sup> Other subscribers are disturbed by the prevalence of ads on Hulu related to sexual or

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<sup>2</sup> See “Meet Sister Monica Clare,” TikTok Sparks Good, [https://impact.tiktok.com/stories?gad\\_source=1&gclid=EA1aIQobChMIm7j71uq8hAMVS2IHAR3OdA0TEAAYASAAEgI23vD\\_BwE](https://impact.tiktok.com/stories?gad_source=1&gclid=EA1aIQobChMIm7j71uq8hAMVS2IHAR3OdA0TEAAYASAAEgI23vD_BwE).

<sup>3</sup> See Alyssa Boyle, “Hulu Has Too Many Ads,” AdExchanger (Mar. 24, 2023), <https://www.adexchanger.com/ctv-roundup/hulu-has-too-many-ads/> (Hulu hosts ads from beer companies like Budweiser, hard alcohol like Jameson, and dating apps like Tinder).

<sup>4</sup> See Hulu Help Center Q&A (Nov. 25, 2020), <https://community.hulu.com/s/question/0D53h00000zcdvHCAQ/triggering-ads-causing-problems-i-got-money-back>; Hulu Help Center Q&A (Nov. 16, 2019), <https://community.hulu.com/s/question/0D51L00006iXISASA0/why-are-the-gambling-ads-suddenly-so-rampant>.

inappropriate content.<sup>5</sup> Unlike inviting viewers to attend church, where an ad solely exists to benefit the viewer, the ads that Hulu regularly platforms risk relapse and risks influencing impressionable viewers to partake in vices that may harm them.

That Hulu is a private company should not change the calculus, and the Supreme Court may indeed clarify that mandate in the pending cases. Advertising platforms like Hulu serve as a “modern public square.” *Packingham v. North Carolina*, 582 U.S. 98, 107 (2017). Companies, candidates, and even churches rely on advertising platforms to share their views and advertise their products, and ad platforms should not have unilateral discretion to filter out advertisers like Hulen Street Church. Just like a telephone company and the post office can’t filter what messages are permissible on that basis, the same rules should apply here.

***Hulu Should Let the Church’s Ad Run Immediately.***

We ask that Hulu clarify its policy concerning “Religious Indoctrination” to make clear that religious speech, like that contemplated by the advertisement in question, is welcome on its platform. Further, we request that Hula immediately allow Hulen Street Church’s Thursday night services ad to run on Hulu’s local ad platform. Hulu has reversed course on its advertising decisions before, and it should do so again here.<sup>6</sup> Thank you for your attention to this matter.

If we may be of service, or if you would like to discuss this further, please do not hesitate to call or email us.

Respectfully,



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<sup>5</sup> See Hulu Help Center Q&A (Jan. 13, 2023), <https://community.hulu.com/s/question/0D55f00001sQmTUCA0/why-is-hulu-showing-so-many-sexually-related-ads>.

<sup>6</sup> See, e.g., Nick Venable, *Hulu Just Made a Major Ad-Related Change*, Cinema Blend (July 27, 2022), <https://www.cinemablend.com/streaming-news/hulu-just-made-a-major-ad-related-change>.

# EXHIBIT 1

## Wes Hamilton

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**From:** Ad Manager Escalations Case <escalations@admanager.hulu.com> on behalf of Ad Manager Escalations Case  
**Sent:** Friday, January 12, 2024 1:43 PM  
**To:** [REDACTED]  
**Subject:** [Hulu Ad Manager] Re: 00123720 - Hulen Street Church

The Hulu logo is centered within a solid green rectangular background. The word "hulu" is written in a lowercase, bold, sans-serif font.

Hi Wes Hamilton,

Thank you for reaching out. I reviewed the feedback with our team and it was determined that your ad was rejected for failing to adhere to our advertising policies as it violates our current policies regarding religious advertising, specifically citing Religious Indoctrination due to asking viewer to attend Thursday services. Please review our guidelines and submit a new ad for review.

Please let us know if you have any other questions at this time.

Best,  
Omar

Issue Description:

Hi, I have just had my ad rejected for a second time and I'm at a loss for why. I have combed through the advertising policies and the technical specifications and cannot find where we are out of compliance. Is it possible to get specific feedback on what exactly we need to change? I

am not sure where to start. Any help or feedback would be much appreciated. Thanks in advance.

Resources:



FAQ



Creative Hub



Get Help

Disney Advertising | hulu

